

### AMENDMENTS TO THE CLAIMS

1. (withdrawn) An absorbent article with a body facing side, the absorbent article comprising:
  - a topsheet on the body facing side;
  - a backsheet opposite the body facing side;
  - an absorbent core between the backsheet and the body facing side; and
  - a composite intermediate layer between the absorbent core and the topsheet; said composite intermediate layer comprising:
    - a resilient three dimensional apertured formed film between the absorbent core and the topsheet, said formed film having a male side and a female side opposite the male side, and small scale apertures having a mesh count;
    - a nonwoven web of fibers between the formed film and the body facing side of the absorbent article; and
    - a plurality of large scale apertures extending through the nonwoven web and the formed film, said large scale apertures having a mesh count which is less than the mesh count of the small scale apertures.
2. (withdrawn) The absorbent article of claim 1 wherein the male side of the formed film faces the nonwoven web.
3. (withdrawn) The absorbent article of claim 1 wherein the female side of the formed film face the nonwoven web.
4. (withdrawn) The absorbent article of claim 1 wherein said large scale apertures are generally conical in shape, tapering from a larger opening to a smaller opening, the larger opening being between the smaller opening and the topsheet.
5. (withdrawn) The absorbent article of claim 4 wherein said large scale apertures have generally unconsolidated fibers near the larger opening and generally consolidated fibers near the smaller opening.
6. (withdrawn) The absorbent article of claim 4 wherein fibers of said nonwoven web are bonded at said smaller opening by melted portions of said formed film.

7. (withdrawn) The absorbent article of claim 1 wherein the mesh count of the small scale apertures is between about  $20/\text{cm}^2$  and about  $200/\text{cm}^2$ .
8. (withdrawn) The absorbent article of claim 1 wherein the mesh count of the small scale apertures is between about  $50/\text{cm}^2$  and about  $100/\text{cm}^2$ .
9. (withdrawn) The absorbent article of claim 1 wherein the mesh count of the small scale apertures is about  $90/\text{cm}^2$ .
10. (withdrawn) The absorbent article of claim 1 wherein the mesh count of the large scale apertures is between about  $2/\text{cm}^2$  and about  $50/\text{cm}^2$ .
11. (withdrawn) The absorbent article of claim 1 wherein the mesh count of the large scale apertures is between about  $3/\text{cm}^2$  and about  $30/\text{cm}^2$ .
12. (withdrawn) The absorbent article of claim 1 wherein the mesh count of the large scale apertures is between about  $6/\text{cm}^2$  and about  $11/\text{cm}^2$ .
13. (withdrawn) The absorbent article of claim 1 wherein the mesh count of the small scale apertures is between about 5 and about 25 times the mesh count of the large scale apertures.
14. (withdrawn) The absorbent article of claim 1 wherein the mesh count of the small scale apertures is between about 10 and about 20 times the mesh count of the large scale apertures.
15. (withdrawn) The absorbent article of claim 1 wherein the mesh count of the small scale apertures is about 15 times the mesh count of the large scale apertures.
16. (withdrawn) The absorbent article of claim 1 wherein the nonwoven web is selected from the group consisting of an airtight bonded nonwoven, a carded thermobonded nonwoven, and a spunbond meltblown spunbond nonwoven.

17. (withdrawn) The absorbent article of claim 1 wherein the nonwoven web is selected from the group consisting of polypropylene fibers, polyethylene fibers, and a combination of polypropylene and polyethylene fibers.

18. (withdrawn) The absorbent article of claim 1 wherein the nonwoven web is comprised of polyester fibers.

19. (withdrawn) The absorbent article of claim 1 wherein the formed film is comprised of low density polyethylene.

20. (withdrawn) The absorbent article of claim 1 wherein the body facing side of the formed film is coated with a surfactant.

21. (currently amended) A method of making a composite intermediate layer comprising the steps of:

~~forming-providing~~ a resilient three dimensional apertured formed film having a male side, ~~and a female side, said formed film being formed with small scale apertures having and~~ a mesh count;

~~forming-providing~~ a nonwoven web of fibers;

joining the nonwoven web with the apertured formed film; and

aperturing the joined nonwoven web and formed film to create large scale apertures in the joined nonwoven web and formed film, a plurality of said large scale apertures created at a mesh count that is less than the mesh count of the small scale apertures.

22. (currently amended) The method of claim 21 wherein ~~the forming of the resilient~~ three dimensional apertured formed film is ~~performed~~ formed by vacuum-forming of the film.

23. (currently amended) The method of claim 21 wherein ~~the forming of the nonwoven~~ web of fibers is formed by one of airtight bonding, carded thermobonding, or spunbond meltblown spunbonding.

24. (original) The method of claim 21 wherein the joining of the nonwoven web to the formed film includes the addition of an adhesive between the nonwoven web and the formed film.

25. (original) The method of claim 21 wherein the aperturing of the joined nonwoven web and formed film secures the nonwoven web to the formed film.

26. (original) The method of claim 25 wherein the nonwoven web is secured to the formed film by the fusing of the fibers of the nonwoven web to portions of the formed film at the large scale apertures.

27. (original) The method of claim 25 wherein the nonwoven web is secured to the formed film by the melting of the formed film near the large scale apertures.

28. (original) The method of claim 25 wherein the nonwoven web is secured to the formed film by the melting of a plurality of the fibers in the nonwoven web near the large scale apertures.

29. (currently amended) The method of claim 21 wherein a large scale aperture is formed by a heated needle mating into a shaped recess such that the apertures are resilient and three dimensional.

30. (original) The method of claim 29 wherein the large scale aperture is shaped by a contacting surface of the needle and the shaped recess such that the fibers of the nonwoven web are selectively fused only in the vicinity of the contacting surface.

31. (withdrawn) An absorbent article with a body facing side, the absorbent article comprising:

a topsheet on the body facing side;

a backsheet opposite the body facing side;

an absorbent core between the backsheet and the topsheet; and

a composite intermediate layer between the absorbent core and the topsheet, said composite intermediate layer comprising:

a stiffening means between the absorbent core and the topsheet, said stiffening means having openings with a hydraulic radius;

a nonwoven web of fibers between the stiffening means and the topsheet, said nonwoven web of fibers having an average radius of the fibers; and

a plurality of large scale apertures extending through the nonwoven web and the stiffening, said large scale apertures having a hydraulic radius that is substantially greater than the hydraulic radius of the openings of the stiffening means.

32. (withdrawn) The absorbent article of claim 31 wherein the stiffening means is a resilient three dimensional apertured formed film between the absorbent core and the body facing side, said formed film having a male side and a female side opposite the male side.

33. (withdrawn) The absorbent article of claim 31 wherein the stiffening means is a stiffer nonwoven layer 2 of fibers having a larger average radius of fibers.

34. (withdrawn) An absorbent article with a body facing side, the absorbent article comprising:

a topsheet on the body facing side;

a backsheet opposite the body facing side;

an absorbent core between the backsheet and the topsheet; and

a three dimensional nonwoven layer between the absorbent core and the topsheet, said three dimensional nonwoven layer having large scale apertures extending from the proximity of the topsheet to the proximity of the absorbent core, the large scale apertures having a conical shape such that only the smaller opening of the large scale apertures are adjacent the absorbent core.